



CIRCUIT COURT FOR Frederick County, **MARYLAND**
City/County

Located at _____ Court Address _____ Case No. _____

Brian A. Mokricky				vs.	Myra L. Mokricky			
Name					Name			
509 E Main St					230 Flatbush Rd			
Street Address					Street Address			
Apt #					Apt #			
Thurmont	MD	21788	(304) 6852975		Littlestown	PA	17340	(304) 2901953
City	State	Zip Code	Area Telephone		City	State	Zip Code	Area Telephone
Plaintiff					Defendant			

COMPLAINT FOR ABSOLUTE DIVORCE
(CC-DR-020)

I, Brian A. Mokricky, representing myself, state that:
Name

1. The Defendant and I were married on 08 23 2008
Month Day Year
in Allegany County, MD in a ☐ civil ☒ religious ceremony.
City/County/State where Married

2. Check all that apply:

☒ I have lived in Maryland since: 10/14
Month/Year
☐ My spouse has lived in Maryland since: _____
Month/Year

3. Check all that apply: (See paragraph 13)

☒ The grounds for divorce occurred in the State of Maryland.
☐ The grounds for divorce occurred outside the State of Maryland and I or my spouse have been a resident of the State of Maryland for at least six (6) months prior to the date of the filing of this Complaint.

4. Children (check one):

☐ We have no children together (skip paragraphs 6 through 10) or
☒ My spouse and I are the parents of the following child(ren):

Sidney W. Mokricky	12/05/09		
Name	Date of Birth	Name	Date of Birth
Sadie C. Mokricky	04/22/16		
Name	Date of Birth	Name	Date of Birth
Name	Date of Birth	Name	Date of Birth

5. I know of the following related cases concerning the child(ren) or parties (such as domestic violence/protective order, paternity, divorce, custody, visitation (child access), CINA, delinquency, termination of parental rights, adoption or other cases):

Court	Case No.	Kind of Case	Year Filed	Results or Status (if you know)
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6. I have been a party, witness, or otherwise involved in the following cases about custody, CINA, guardianship, or visitation (child access) of the child(ren):

<u>State</u>	<u>Court</u>	<u>Case No.</u>	<u>Date of Child Custody or Guardianship Determination</u>
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Attach the most recent court order for the above-referenced court cases.

7. I know of the following people, not parties to this case, who have physical custody of, or claim rights of legal custody or physical custody of, or visitation (child access) with the child(ren):

Name	Current Address
Name	Current Address
Name	Current Address

8. The child(ren) currently live(s) at: 50/50 Custody at the addresses listed above
 Address
 with Brian A. Mokricky / Myra L. Mokricky
 Name

9. The child(ren) has/have lived in Maryland for at least six (6) months (☒ yes ☐ no), and in the following places, with the persons indicated during the last five (5) years:

<u>Time Period</u>	<u>Place</u>	<u>Name(s)/Current Address of Person(s) with whom Child(ren) Lived</u>
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3/17 - Pres.	Littlestown Pa	Myra Mokricky 230 Flatbush Rd Littlestown Pa 17340
10/14 - Pres.	Thurmont MD	Brian Mokricky 509. E Main St Thurmont MD 21788
9/10 - 10/14	Roanoke, VA	Brian/Myra Mokricky 5326 Cave Spring Ln Roanoke VA 24018

10. It is in the best interest of the child(ren) that I have (*check all that apply*):

☐ joint ☒ primary physical custody of Sidney W & Sadie C. Mokricky
 Name of Child(ren)

☐ joint ☒ sole legal custody (decision-making) of Sidney W. & Sadie C. Mokricky
 Name of Child(ren)

☐ visitation (child access or parenting time) with _____
 Name of Child(ren)

11. **Child support (*check one*):**

☒ I am seeking to establish child support and/or health insurance for the child(ren). **You must file either a Child Support (short form) Financial Statement (Form CC-DR-030) or General (long form) Financial Statement (Form CC-DR-031).**

☐ Child support has already been established for the child(ren) separate from the Complaint:

☐ in a separate court case, case no. _____

☐ in the Office of Child Support Enforcement, case no. _____

☐ I am not requesting to establish child support and/or health insurance for the child(ren) at this time because _____

12. **Alimony:** I ☐ am ☒ am not seeking alimony, because _____

If you are seeking alimony you must file a General Financial Statement (Form CC-DR-031) with this Complaint.

13. **Marital Property:** *(You do not have to complete paragraph 13 if you are not asking the court to make decisions about your property. However if you choose not to, the court may be barred from making decisions about certain property and debts after a divorce has been granted).*

☒ My spouse and/or I have the following property and debts that need to be divided (**check all that apply**): you must file a General Financial Statement (Form CC-DR-031) with this Complaint.

☐ House(s)

☒ Furniture

☐ Pension(s)/Retirement Account(s)

☒ Bank account(s) and investment(s)

☒ Motor Vehicles

☒ Family Use Personal Property

☒ Debts

☐ Other: _____

☒ I'm requesting to have use and possession of the home and/or other property for the benefit of the child(ren).

☐ My spouse and I have already reached an agreement about our marital property and debts AND alimony (**you must attach a copy of your signed written agreement to this Complaint**).

☐ My spouse and I have no marital property or debts that need to be decided by the court.

14. I am requesting to resume my former name _____
Print Full Former Name

15. My grounds for an absolute divorce are (*you may check more than one*):

☐ **Twelve (12) Month Separation** - From on or about _____, my spouse and I
Month/Day/Year
have lived separate and apart from each other in separate residences, without interruption, without sexual intercourse, for a period of 12 months or more **before** the date of filing of this Complaint.

☒ **Adultery** - My spouse committed adultery.

☐ **Actual Desertion** - On or about _____, my spouse deliberately, without just
Month/Day/Year
cause or reason abandoned and deserted me, with the intention of ending our marriage. This desertion has continued without interruption for a period of 12 months or more **before** the date of filing of this Complaint and there is no reasonable expectation we will reconcile (get back together).

☐ **Constructive Desertion** - I left my spouse because his/her persistent conduct or cruel and vicious treatment toward me made the continuation of our marriage impossible, in order to preserve my health, safety, or self-respect. This conduct was the final and deliberate act of my spouse and our separation has continued without interruption for a period of 12 months or more **before** the date of filing of this Complaint, and there is no reasonable expectation we will reconcile (get back together).

☐ **Criminal Conviction of a Felony or Misdemeanor** - On or about _____, my
Month/Day/Year
spouse was sentenced to serve at least three (3) years or an indeterminate sentence in a penal institution and has served 12 or more months of the sentence **before** the date of filing of this Complaint.

- ☐ **Cruelty/Excessively Vicious Conduct Against Me or my Minor Child(ren)** - My spouse's cruel and excessively vicious conduct toward me and/or my minor child(ren) has made the continuation of the marital relationship impossible, and there is no reasonable expectation that we will reconcile (get back together).
- ☐ **Insanity** - On or about _____, my spouse was confined to a mental institution, hospital, or other similar institution and has been confined for a period of at least three (3) years ^{Month/Day/Year} before the date of filing of this Complaint. Two (2) doctors competent in psychiatry will testify that the insanity is incurable and there is no hope of recovery. My spouse or I have been a resident of Maryland for at least two (2) years before the filing of this complaint.
- ☐ **Mutual Consent** - My spouse and I do not have any minor children in common. My spouse and I have a written settlement agreement resolving all issues relating to alimony and property, and we will both appear before the court for an absolute divorce hearing.
Attach a copy of your written and signed agreement to this Complaint.

FOR THESE REASONS, I request (check all that apply):

- ☒ An Absolute Divorce.
- ☐ A change back to my former name: _____ Print Full Former Name
- ☐ Joint ☒ Primary physical custody of the minor child(ren).
- ☐ Joint ☒ Sole legal custody (decision-making) of the minor child(ren).
- ☐ Visitation (child access or parenting time) with the minor child(ren).
- ☒ Use and possession of the family home for up to three (3) years from the date of the divorce.
- ☒ Use and possession of the family use personal property for up to three (3) years from the date of the divorce.
- ☒ Child support (file Form CC-DR-030 OR CC-DR-031).
- ☒ Health insurance for the child(ren).
- ☐ Alimony (file Form CC-DR-031).

Property (check all that apply) *(The following requests regarding property require Form CC-DR-033 Joint Statement to be filed no later than 10 days before the final trial date).*

- ☐ My share of the property or its value.
- ☒ Transfer of family use personal property.
- ☐ Transfer of the real property jointly owned by the parties located at _____

 from _____ to _____
- ☐ Authorize _____ Name of Party to purchase from _____ Name of Party an interest in real property located at _____

- ☐ A monetary award (money) based on marital property.
- ☒ Any other appropriate relief.

I, Brian A. Mokricky
Name solemnly affirm under the penalties of perjury,
that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.

08/30/2017

Date


Signature

509 E Main St. Thurmont MD 21788

Address

BrianMoRadio@yahoo.com

E-mail

304-685-2975

Telephone

CIRCUIT COURT FOR FREDERICK COUNTY
Clerk of the Circuit Court,
Sandra K. Dalton
100 West Patrick Street
Courthouse
Frederick, MD 21701
Phone: (301)-600-1976

Received From: Brian Mokricky
Address: Approval Code 258991

10-C-17-002277

Clerk Fee - Civil Filing Fee - New Case	CC	\$80.00
Records Improvement Fund - New Case	CC	\$30.00
MARYLAND LEGAL SERVICE	CC	\$55.00
Sub Total		\$165.00

----	MOP-----	AMOUNT----
CC		\$165.00

TOTAL TENDERED		\$165.00
CASH RECEIVED		\$0.00
CASH DUE		\$0.00

CHANGE		\$0.00

Receipt #201700005597
Cashier: ALG CCFRCR2
09/05/17 2:07pm